

NO. 26630

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellant

vs.

SEAN C. STEWART, Defendant-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(CR. NO. 98-0543)

ORDER GRANTING MOTION FOR LEAVE TO WITHDRAW STATE'S APPEAL
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Plaintiff-Appellant State of Hawaii's motion for leave to withdraw the State's appeal, the papers in support, and the records and files herein,

IT IS HEREBY ORDERED that the motion is granted, and this appeal is dismissed pursuant to HRAP Rule 42(b).

DATED: Honolulu, Hawai'i, September 27, 2004.

Loren J. Thomas,
Deputy Prosecuting Attorney,
for plaintiff-appellant
on the motion